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UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

In Re:  
 JAMES AMAR SINGH,  
 Debtor.

Case No.: 15-40917-WJL

Adv. Case No.: 16-04026

Chapter 13

[The Honorable William J. Lafferty, III]

JAMES AMAR SINGH,  
 Plaintiff,  
 vs.  
 WELLS FARGO BANK, N.A.  
 Defendant.

**REQUEST FOR JUDICIAL NOTICE IN  
 SUPPORT OF DEFENDANT WELLS  
 FARGO'S MOTION TO DISMISS THE  
 FIRST AMENDED COMPLAINT**

Date: July 20, 2016  
 Time: 10:30 a.m.  
 Place: U.S. Bankruptcy Court  
 Courtroom 220  
 1300 Clay Street  
 Oakland, CA

Pursuant to Rule 201(b)(2) of the Federal Rules of Evidence, defendant Wells Fargo Bank, N.A. ("Wells Fargo") hereby requests that the Court take judicial notice of the following documents submitted in support of its motion to dismiss the amended adversary complaint:

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1. Certificate of Corporate Existence dated April 21, 2006, Office of Thrift Supervision, Department of the Treasury (attached as Exhibit A).
2. Letter dated November 19, 2007, Office of Thrift Supervision, Department of the Treasury (attached as Exhibit B).
3. Charter of Wachovia Mortgage, FSB dated December 31, 2007. (attached as Exhibit C).
4. Official Certification of the Comptroller of the Currency (“OCC”) stating that effective November 1, 2009, Wachovia Mortgage, FSB converted to Wells Fargo Bank Southwest, N.A., which then merged with and into Wells Fargo Bank, N.A. (attached as Exhibit D).
5. Federal Deposit Insurance Corporation (“FDIC”) profile and history of World Savings Bank, FSB, dated March 14, 2012, from the FDIC’s official website, reflecting its transition to Wells Fargo Bank, N.A. (attached as Exhibit E).
6. Deed of Trust dated January 20, 2006 and recorded in the official records of the Alameda County Recorder’s Office on January 27, 2006 as Document No. 2006029543 (attached as Exhibit F).
7. Notice of Default and Election to Sell Under Deed of Trust dated April 15, 2010 and recorded in the official records of the Alameda County Recorder’s Office on April 16, 2010 as Document No. 2010105477 (attached as Exhibit G).
8. Substitution of Trustee dated May 27, 2010 and recorded in the official records of the Alameda County Recorder’s Office on July 19, 2010 as Document No. 2010198022 (attached as Exhibit H).
9. Notice of Trustee’s Sale dated July 16, 2010 and recorded in the official records of the Alameda County Recorder’s Office on July 19, 2010 as Document No. 2010198023 (attached as Exhibit I).
10. Compilation of bankruptcy dockets related to plaintiff’s bankruptcy filings between 2010 and 2012, United States Bankruptcy Court, Northern District of California (Oakland) (attached as Exhibit J).

11. Complaint filed on October 11, 2011 entitled *James Singh v. Wells Fargo Bank, N.A., et al.*; in the Alameda County Superior Court, Case No. RG11599054 (attached as Exhibit K).

12. Civil Docket for *Singh v. Wells Fargo Bank, N.A.*, United States District Court, Northern District (Oakland), Case No. 4:11-cv-05485-PJH (attached as Exhibit L).

13. Order Denying Motion for Preliminary Injunction filed on April 2, 2012, United States District Court, Northern District (Oakland), Case No. 4:11-cv-05485-PJH (attached as Exhibit M).

14. Notice of Voluntary Dismissal and Order of Dismissal filed on August 20 and 21, 2012, respectively, United States District Court, Northern District (Oakland), Case No. 4:11-cv-05485-PJH (attached as Exhibit N).

15. Trustee's Deed Upon Sale dated August 10, 2012 and recorded in the official records of the Alameda County Recorder's Office on August 15, 2012 as Document No. 2012267120 (attached as Exhibit O).

16. Notice of Rescission of Trustee's Deed Upon Sale dated June 7, 2013 and recorded in the official records of the Alameda County Recorder's Office on June 12, 2013 as Document No. 2013207826 (attached as Exhibit P).

17. Substitution of Trustee dated February 5, 2014 and recorded in the official records of the Alameda County Recorder's Office on February 13, 2014 as Document No. 2014048919 (attached as Exhibit Q).

18. Notice of Trustee's Sale dated May 14, 2014 and recorded in the official records of the Alameda County Recorder's Office on May 27, 2014 as Document No. 2014128019 (attached as Exhibit R).

19. Complaint (excluding exhibits) filed on December 3, 2012 entitled *James Singh v. Wells Fargo Bank, N.A., et al.*; in the Alameda County Superior Court, Case No. RG12658318 (attached as Exhibit S).

20. Civil Docket for *Singh v. Wells Fargo Bank, N.A.*, United States District Court, Northern District (San Francisco), Case No. 3:12-cv-06566-SI (attached as Exhibit T).

21. Report and Recommendation Regarding Wells Fargo's Motion to Dismiss, filed on March 8, 2013, United States District Court, Northern District (San Francisco), Case No. 3:12-cv-06566-SI (attached as Exhibit U).

22. Order Adopting Report and Recommendation Regarding Motion to Dismiss filed on April 25, 2013, United States District Court, Northern District (San Francisco), Case No. 3:12-cv-06566-SI (attached as Exhibit V).

23. Judgment issued on April 25, 2013, United States District Court, Northern District (San Francisco), Case No. 3:12-cv-06566-SI (attached as Exhibit W).

24. Notice of Appeal filed on May 24, 2013, United States District Court, Northern District (San Francisco), Case No. 3:12-cv-06566-SI (attached as Exhibit X).

25. Complaint filed on March 19, 2015 entitled *James Singh v. Wells Fargo Bank, N.A., et al.*; in the Alameda County Superior Court, Case No. RG15763108 (attached as Exhibit Y).

26. Civil Docket for *Singh v. Wells Fargo Bank, N.A.*, United States District Court, Northern District (San Francisco), Case No. 3:15-cv-01668-JST (attached as Exhibit Z).

27. Notice of Voluntary Dismissal filed on June 18, 2015, United States District Court, Northern District (San Francisco), Case No. 3:15-cv-01668-JST (attached as Exhibit AA).

Judicial notice is appropriate for Exhibits A through E, because these records are true and correct copies of documents reflecting official acts of the executive branch of the United States.

*See* Fed. R. Evid. 201(b). Furthermore, judicial notice is appropriate for information obtained from governmental websites. *Paralyzed Veterans of Am. v. McPherson*, 2008 U.S. Dist. LEXIS 69542, \*17-18 (N.D. Cal. Sept. 8, 2008) (court took judicial notice of information appearing on and printed from official government websites -- citing numerous decisions from federal circuits and district courts all approving judicial notice of information obtained from government websites); *see also*, *Hite v. Wachovia Mortg.*, 2010 U.S. Dist. LEXIS 57732, \*6-9 (E.D. Cal. June 10, 2010) (court took judicial notice of the exact documents that Wells Fargo introduces in Exhibits A and E above).

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Judicial notice is appropriate for Exhibits F through I, O, P, Q and R because these documents are true and correct copies of official public records of the Alameda County Recorder's Office, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See e.g., *Gamboa v. Tr. Corps & Cent. Mortg. Loan Servicing Co.*, 2009 U.S. Dist. LEXIS 19613, \*4-10 (N.D. Cal. Mar. 12, 2009) (court took judicial notice of recorded documents related to the foreclosure sale, including grant deed and deed of trust: "[t]hese documents are also part of the public record and are easily verifiable. See Fed. R. Evid. 201(b); *Castillo-Villagra v. INS*, 972 F.2d 1017, 1026 (9th Cir. 1992) (holding that notice may be taken of facts capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned).").

Judicial notice is appropriate for Exhibits J through N and S through AA because these documents are true and correct copies of official records of the Alameda County Superior Court, the United States District Court (Northern District of California), and the United States Bankruptcy Court (Northern District of California). The authenticity of these court documents "is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." FED. R. EVID. 201(b)(2).

Respectfully submitted,

Dated: May 31, 2016

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